

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 529 be amended to read as follows:

- 1 Page 2, line 34, delete "," and insert "**and the department of local**
- 2 **government finance shall certify under section 16 of this chapter**".
- 3 Page 2, line 35, delete "certified by the department of child" and
- 4 insert "**necessary to pay the following:**".
- 5 Page 2, delete line 36.
- 6 Page 2, line 37, after "The" insert "**cost of child services (as defined**
- 7 **in IC 12-19-7-1) of the county payable from the**".
- 8 Page 2, line 38, after "The" insert "**cost of children's psychiatric**
- 9 **residential treatment services (as defined in IC 12-19-7.5-1) of the**
- 10 **county payable from the**".
- 11 Page 2, between lines 39 and 40, begin a new line blocked left and
- 12 insert:
- 13 **"A budget, tax rate, or tax levy adopted by a county fiscal body or**
- 14 **approved or modified by a county board of tax adjustment that is**
- 15 **less than the levy necessary to pay the costs described in**
- 16 **subdivision (1) or (2) shall not be treated as a final budget, tax rate,**
- 17 **or tax levy under section 11 of this chapter.**".
- 18 Page 3, line 1, after "the" insert "**county fiscal body or the**
- 19 Page 3, line 6, delete "certified" and insert "**recommended**".
- 20 Page 3, line 9, delete "certified" and insert "**recommended**".
- 21 Page 7, delete line 42.
- 22 Page 8, delete lines 1 through 16.
- 23 Page 10, line 22, delete "require" and insert "**conduct a public**
- 24 **hearing to determine whether to recommend to**".
- 25 Page 10, line 33, after "hearing" insert ",".
- 26 Page 10, line 34, delete "required under section 2 of this chapter,".
- 27 Page 11, line 8, delete "final determination" and insert
- 28 **"recommendation"**.
- 29 Page 11, line 15, delete "final determination" and insert
- 30 **"recommendation"**.
- 31 Page 11, line 16, delete "final determination" and insert

- 1 **"recommendation".**
- 2 Page 11, line 18, delete "final" and insert **"recommendation,"**.
- 3 Page 11, line 19, delete "determination,".
- 4 Page 11, line 20, reset in roman "as soon as possible determine
- 5 whether".
- 6 Page 11, line 21, reset in roman "or not to loan the requested amount
- 7 to the".
- 8 Page 11, line 21, delete "vote to" and insert **"department; and"**.
- 9 Page 11, delete line 22.
- 10 Page 11, line 23, after "(b)" insert **"(2)"**.
- 11 Page 11, line 23, delete "If" and insert "if".
- 12 Page 11, line 23, reset in roman "the county fiscal body votes to
- 13 allow a loan to be made,".
- 14 Page 11, line 23, after "made," delete "The" and insert "the".
- 15 Page 11, line 24, delete "(2)".
- 16 Page 11, reset in roman lines 26 through 27.
- 17 Page 11, line 28, before "county director" reset in roman "the".
- 18 Page 11, line 28, after "director" insert **"department"**.
- 19 Page 11, line 28, reset in roman "of the county fiscal body's
- 20 decision.".
- 21 Page 12, line 3, reset in roman "receives permission from the county
- 22 fiscal body to borrow".
- 23 Page 12, line 4, reset in roman "money".
- 24 Page 12, line 4, delete "conducts a hearing and issues a resolution to
- 25 borrow".
- 26 Page 12, line 5, delete "money".
- 27 Page 12, line 17, delete "money was borrowed under IC 12-1-11.5
- 28 (before its" and insert **"the department:"**.
- 29 Page 12, delete line 18.
- 30 Page 12, line 21, reset in roman "receives permission from the
- 31 county fiscal body".
- 32 Page 12, line 21, delete "conducts a".
- 33 Page 12, line 22, delete "hearing and issues a resolution".
- 34 Page 13, line 27, delete "that the department".
- 35 Page 13, line 28, delete "certifies is".
- 36 Page 14, line 28, delete "certified by the department" and insert
- 37 **"necessary to pay the costs of the child services of the county"**.
- 38 Page 14, line 28, delete "ensuing" and insert **"next fiscal"**.
- 39 Page 14, line 31, delete "." and insert **"and comply with**
- 40 **IC 6-1.1-17-3."**.
- 41 Page 15, line 9, delete "shall establish" and insert **"compute"**.
- 42 Page 15, line 13, after "chapter" insert ".".
- 43 Page 15, line 26, delete "after considering the".
- 44 Page 15, delete lines 27 through 28.
- 45 Page 15, line 30, strike "finally".
- 46 Page 15, line 31, strike "approved".
- 47 Page 15, line 33, strike "and".
- 48 Page 15, line 34, delete "." and insert **"; and**

(3) filed with the department of local government finance."

Page 15, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 33. IC 12-19-7-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 11. In September of each year, at the time provided by law, the county fiscal body shall do the following:

(1) Make the appropriations out of the family and children's fund that are:

(A) based on the budget as submitted; and

(B) necessary to ~~maintain~~ pay the child services of the county for the next fiscal year. ~~subject to the maximum levy set forth in IC 6-1.1-18.6.~~

(2) Levy a tax in an amount necessary to produce the appropriated money."

Page 16, delete lines 1 through 5.

Page 17, between lines 31 and 32, begin a new line block indented and insert:

"(3) File the estimate and statement with the department of local government finance."

Page 18, line 6, delete "final determination" and insert "recommendation".

Page 18, between lines 13 and 14, begin a new paragraph and insert:

"(c) If the county executive fails to borrow sufficient money to carry out the purposes under section 15 of this chapter either under this chapter or IC 12-19-5, the department may appeal to the department of local government finance for a determination. A copy of the appeal must be filed with the county fiscal body. The department of local government finance shall immediately conduct a hearing in the county on an appeal filed under this subsection. If the department determines that insufficient money is available to carry out the purposes under section 15 of this chapter, the department of local government finance shall issue an appropriate order. The order may require the county to reduce its general fund budget and transfer sufficient money to the fund or require the county to borrow money for the fund to carry out the purposes under section 15 of this chapter."

Page 19, line 19, delete "that the department".

Page 19, line 20, delete "certifies is".

Page 21, line 18, delete "certified by the" and insert **"necessary to pay the costs of children's psychiatric residential treatment services of the county"**.

Page 21, line 19, delete "department".

Page 21, line 19, delete "ensuing" and insert **"next fiscal"**.

Page 22, line 4, delete "shall establish" and insert **"compute"**.

Page 22, line 25, strike "finally approved".

Page 22, line 25, reset in roman "recommended".

Page 22, line 27, strike "and".

Page 22, line 28, delete "." and insert "; and

(3) filed with the department of local government finance.

SECTION 45. IC 12-19-7.5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 13. In September of each year, at the time provided by law, the county fiscal body shall do the following:

(1) Make the appropriations out of the children's psychiatric residential treatment services fund that are:

(A) based on the budget as submitted; and

(B) necessary to ~~maintain~~ **pay** the children's psychiatric residential treatment services of the county for the next fiscal year. ~~subject to the maximum levy set forth in IC 6-1.1-18.6.~~

(2) Levy a tax in an amount necessary to produce the appropriated money."

Page 23, between lines 2 and 3, begin a new line block indented and insert:

"(3) File the estimate and statement with the department of local government finance."

Page 23, line 19, delete "final determination" and insert **"recommendation"**.

Page 23, between lines 26 and 27, begin a new paragraph and insert:

"(c) If the county executive fails to borrow sufficient money to carry out the purposes under section 14 of this chapter either under this chapter or IC 12-19-5, the department may appeal to the department of local government finance for a determination. A copy of the appeal must be filed with the county fiscal body. The department of local government finance shall immediately conduct a hearing in the county on an appeal filed under this subsection. If the department determines that insufficient money is available to carry out the purposes under section 14 of this chapter, the department of local government finance shall issue an appropriate order. The order may require the county to reduce its general fund budget and transfer sufficient money to the fund or require the county to borrow money for the fund to carry out the purposes under section 14 of this chapter."

- 1 Page 70, line 37, after "IC 6-1.1-18.6;" insert "IC 12-7-2-31.5;
- 2 IC 12-7-2-31.6; IC 12-13-14.5;".
- 3 Renumber all SECTIONS consecutively.
 (Reference is to SB 529 as printed February 25, 2005.)

Senator LAWSON C